

PTO/SB/21 (08-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | |
|------------------------|------------|
| Application Number | 10/608,250 |
| Filing Date | 06/27/2003 |
| First Named Inventor | Ferree |
| Art Unit | 3738 |
| Examiner Name | |
| Attorney Docket Number | SP110.1 |

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Postcard |
|---|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------------|-----------------------------|
| Firm or Individual name | Jerrold J. Litzinger |
| Signature | <i>Jerrold J. Litzinger</i> |
| Date | September 30, 2003 |

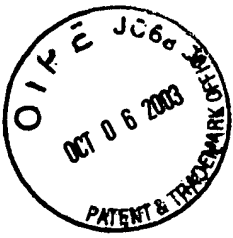
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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| Typed or printed name | Jerrold J. Litzinger | | |
| Signature | <i>Jerrold J. Litzinger</i> | Date | 09/30/2003 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|------------------------------|---|----------------------|
| In re Application of: FERREE | : | |
| | : | |
| Serial No.: 10/608,250 | : | Group Art Unit: 3738 |
| | : | |
| Filing Date: June 27, 2003 | : | Examiner: Unknown |
| | : | |
| For: FUSION AND ARTHROPLASTY | : | Paper No.: 2 |
| DEVICES CONFIGURED TO | : | |
| RECEIVE BONE GROWTH | : | |
| PROMOTING SUBSTANCES | : | |

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

In order to comply with the duty of candor and good faith which is imposed by Rule 56 (CFR 1.56), the references which are listed on the attached form PTO-1449 are called to the attention of the U.S. Patent and Trademark Office with regard to the above-identified application. No representation is made that a prior art search has been conducted, that the cited references are pertinent to the claimed subject matter, that the cited references represent the only prior art or that the cited references represent the best prior art.

While it is believed that no fee is due with this submission, please charge any fee which may be due to Deposit Account No. 12-1677.

Applicant herewith submits a listing of the references cited on the attached form PTO-1449.

Respectfully submitted,

Jerrold J. Litzinger
Attorney for Applicant
Reg. No. 29,402

